

A defeat? On an Opposition Day?

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The Government elected in May 2005 has already suffered four defeats on whipped votes in the House of Commons. To suffer a fifth within its first session would be unprecedented for a government with a majority of over 60. To suffer a defeat on an Opposition Day Motion – as some are currently predicting – would be even more astonishing. This briefing note explains previous Labour rebellions on Opposition Day motions, as well as looking at the possible composition of tonight's rebellion.

Opposition Days

Opposition Day motions – non-legislative motions put forward by one or more of the Opposition Parties – rarely attract large rebellions. Most MPs recognise that they are not as important as vote on substantive pieces of legislation and behave accordingly. Rebellions are also more muted by the very fact that the motions have been put forward by one of the Opposition parties, with MPs disliking aiding and abetting the enemy.

Even when Opposition parties hold set-piece debates on issues where it is perfectly clear that many Labour MPs are opposed to Government policy, they generally fail to garner any real support on the Labour backbenches. For example, in June 2003, only 10 Labour MPs supported a Liberal Democrat Opposition Day motion that was highly critical of the Government's plans to introduce top-up fees. Just six months later, when it came to a key vote on the substantive legislation – the Higher Education Bill's Second Reading in January 2004 – some 72 Labour MPs opposed the Government.

Table 1: Opposition Day Rebellions under Blair

Date	Issue (and moving party)	No of Labour rebels	Division number
17-Jan-00	Pensioners (Lib Dem motion)	1	27
06-Apr-00	Patten Report (UUP motion)	1	153
23-Oct-01	Ministerial Conduct (Con motion)	3	39
25-Oct-01	Student Finance (Lib Dem motion)	1	43
15-May-02	Post Office Closures (Lib Dem motion)	2	241
04-Jun-03	Iraq (Lib Dem motion)	11	217
11-Jun-03	European Treaty Referendum (Con motion)	1	226
23-Jun-03	Student Finance (Lib Dem motion)	10	244
16-Jul-03	Iraq (Con motion)	8	294
10-Sep-03	Role of UN in Iraq (Lib Dem)	1	307
09-Mar-04	Iraq (Attorney-General's advice) (SNP/Plaid Cymru motion)	4	80
17-May-04	Iraq (Lib Dem motion)	8	176
25-Jan-05	Food Supplements Directive (Con motion)	7	45
08-Feb-05	Belmarsh Judgement (Lib Dem motion)	2	76

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Indeed, since 1997, there have been only 14 occasions when Labour MPs have rebelled on Opposition day motions (see table). The largest occurred after a Liberal Democrat Opposition Day debate on 4 June 2003, on the issue of Iraq, but on that occasion only 11 Labour MPs rebelled against the Government. Other Iraq-related Opposition Day motions during the 2001-2005 Parliament attracted rebellions in single figures. The last time the SNP/Plaid Cymru managed to generate a rebellion with a similar tactic to that employed today it involved just four Labour MPs.

This is both an important cautionary note that rebellions on Opposition Day motions are often smaller than any raw consideration of the numbers might imply – as well as an indication that whatever else happens tonight, the rebellion is likely to be the largest on an Opposition Day motion suffered by the Government since 1997.

The would-be rebels

Thirty-two Labour MPs have signed a long-standing Early Day Motion 1088 in the name of Tory backbencher, Douglas Hogg, calling for the establishment of a select committee of seven MPs to review the Government's policy in Iraq leading up to the invasion in March 2003, and its aftermath. This is the wording used in the SNP/PC motion. More recently, 13 Labour MPs have put their names to EDM 2840 in the name of another Tory backbencher, John Baron (who opposed the Iraq war) which called for a Parliamentary debate on Iraq to discuss the now-famous comments made by the Chief of the General Staff, Sir Richard Dannatt. Ten Labour MPs have also supported EDM 2847 in the name of Sir Malcolm Rifkind, the former Defence Secretary that called for a full debate in Parliament on the Government's policy in Iraq, noting that there had not been one since July 2004.

A total of 38 Labour MPs (listed in the Appendix, in decreasing order of rebelliousness) have signed at least one of these EDMs – and if they all to vote against the Government, and if there was a full Opposition turnout – it would be sufficient to bring about defeat. Worryingly for the Government, all except two of these 38 – Lyn Brown and Graham Stringer – have already voted against the Government in this Parliament. (And Graham Stringer has form from the last Parliament, having twice voted against the Iraq war).

But it is unlikely all of these 38 will vote against the party whip tonight. The list of signatories includes many of the most rebellious Labour MPs (McDonnell, Corbyn, et al) but also many whose rebellion is much less frequent and who will be open to arguments from the whips not to defeat the government on an Opposition Day Motion – and not to vote for a policy which could cause Labour's *next* leader so much trouble. Others will be persuaded to at least abstain, rather than voting with the Opposition. For example, the list includes people like Austin Mitchell (who frequently abstains), as well as the serial double abstainer, David Taylor. In its entire time in office, since 1997 just 29 Labour MPs have voted against their party on an opposition day motion; of these just 19 are left on Labour's backbenches. (Just ten remaining Labour MPs have ever voted against the Government on an Opposition Day Motion on Iraq). The Government has some reasons to be cheerful.

Yet assuming the Conservatives muster a full strength turnout, the figures certainly point to a close vote – and far closer than any government with a majority of 60+ should be enduring on any Opposition Day.

Conclusion

Governments rarely lose Commons votes on matters of foreign affairs and defence. Even the most famous foreign policy vote of all – on 8 May 1940 after the failure of the Norwegian campaign - was a government victory in the division lobbies. Nevertheless, the 33 votes against, and the 65 or so Tory abstentions, contributed significantly to Chamberlain's resignation. More recently, the closest any Government has come to defeat on a matter of war and peace occurred on 26 February 1996 when the Major Government won an adjournment debate on the Scott Report into Arms to Iraq by only one vote. On that occasion, three Conservatives voted against the Government.

Both these examples, however, point to a wider truth about these sort of votes: that even when the Government win the vote, they can still suffer real embarrassment as a result. A waspish speech from a senior backbencher can unsettle a minister at the despatch box, or crystallise a mood, even if the eventual vote is won comfortably. In the Major period, the normally amiable Sir Peter Brooke delivered a stinging attack on Virginia Bottomley, the then Health Secretary's handling of the reorganisation of London hospitals during a Labour Opposition Day debate on health. Only two Conservatives voted against the Government at the end of the debate, but Brooke's speech did the damage. More recently, in October 2001, Tam Dalyell, then Leader of the House, attacked the culture of spin that had led to Jo Moore's resignation as special adviser to Stephen Byers, the erstwhile Transport Secretary: 'As I said to the Prime Minister's face, I fail to understand his inability to recognise that Ms Moore's continued employment in her capacity of special adviser sullies his Government'. We would expect similar contributions in today's debate.

Comparisons

- If more than 11 Labour MPs rebel, it will be the largest Labour rebellion on an Opposition Day motion since 1997.
- If more than 32 Labour MPs rebel, it will be the largest Labour rebellion on the issue of Iraq since the debate on the Butler Report in July 2004.
- If the Government scrapes home in single figures it will be the closest vote on an Opposition Day debate since 1 March 1995, when the Government won by only five votes on an Opposition Day debate on the European Union. On that occasion, Norman Lamont, the former Chancellor, voted against the Government.
- If more than 76 Labour MPs rebel, it will be the largest rebellion by Labour MPs on Opposition Day since 12 January 1977, when 76 Labour MPs voted for a backbench Labour amendment to a Conservative supply day motion (the 'old' term for opposition days) to reduce the salary of the Secretary of State for Defence by half. The Labour amendment called on arms expenditure to be reduced, for the savings to go to pay for increased expenditure on public services, and for the redeployment of armament workers to socially useful purposes. This, though, was on a Labour backbench amendment to the Conservative motion, with the Opposition abstaining from voting. The motion was then negatived, on a whipped party vote, by 288 votes to 265.

Appendix

Tonight's rebels?

Name of MP	Rebellions, 05-06 so far	EDM 1088	EDM 2840	EDM 2847
McDonnell, John	59	X		
Corbyn, Jeremy	55	X	X	X
Jones, Dr Lynne	39	X	X	X
Simpson, Alan	39	X	X	
Wareing, Robert	39	X		
Hopkins, Kelvin	36	X		
Fisher, Mark	33	X		
Marshall-Andrews, Bob	33	X		
Hoey, Kate	30	X	X	
Jackson, Glenda	30	X	X	X
Gibson, Dr Ian	23	X	X	
Flynn, Paul	21	X		
Riordan, Linda	21	X	X	
Taylor, David	20			X
Wood, Mike	20	X		
Abbott, Diane	19	X		
Clapham, Michael	15	X	X	
Gerrard, Neil	13	X		
Kilfoyle, Peter	11	X		
Cohen, Harry	10	X		X
Austin, John	9	X		
Challen, Colin	7	X		
Cousins, Jim	7	X		
Soulsby, Sir Peter	7	X		
Caton, Martin	6	X	X	X
Hamilton, David	6		X	
Heyes, David	6			X
Field, Frank	5		X	
Campbell, Ronnie	4	X		
Cryer, Ann	4	X	X	X
Devine, Jim	4	X		
Etherington, Bill	3	X		
Mitchell, Austin	3	X		
Strang, Dr Gavin	3	X		
Wright, Dr Tony	2			X
McGovern, Jim	1	X		
Brown, Lyn	0	X		
Stringer, Graham	0		X	X